

REMARKS

In response to the Office Action dated February 1, 2005, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1, 2, 4 and 7. The courteous interview conducted by Examiners Juntima and Ferris with Applicant's undersigned representative is noted with appreciation. The substance of that interview is set forth in the following remarks.

In response to the objection to claim 4, this claim has been amended as suggested by the examiner.

The rejection of claims 1, 2, 4 and 7, on the basis of the Bastiani et al. patent, was maintained. As discussed in Applicant's previous response, the Bastiani patent does not anticipate the claimed subject matter, for at least the reason that it does not disclose downlink and uplink transactions which each comprise three successive packets of information. Rather, in the operation of the Bastiani patent, a downlink, transaction comprises only two packets, namely a data packet OUTDATA0 and an acknowledgment packet ACK. There is no disclosure of a token packet which precedes the data packet.

In responding to this ground of argument, the most recent Office Action states that the first seven bytes of an OUTDATA0/1 packet (containing the SYN, PT, BC and DT fields) are interpreted to be a token packet, and the remaining bytes (containing the DATA and CRC fields) are considered to be a data packet. It is respectfully submitted, however, that such an interpretation is not consistent with the commonly understood meaning of the term "packet," nor the disclosure of the Bastiani patent.

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The Microsoft Computer Dictionary, Fifth Edition, defines a "packet" as "A unit of information *transmitted as a whole* from one device to another on a network." (emphasis added). A copy of page 385 from the Dictionary accompanies this response. The Bastiani patent refers to "a 16 byte packet having a DataType 0," which it identifies as OUTDATA0 (column 2, lines 37-38). Given the foregoing definition, a person of ordinary skill in the art would not consider some of the bytes in OUTDATA0 to be a first packet, and the remainder of those bytes to be another packet. Rather, the entire 16 bytes are considered to be a single packet, since that is the unit of information that is transmitted as a whole. The Bastiani patent does not disclose that the first seven bytes are transmitted separately from the remaining bytes.

Furthermore, the Bastiani patent discloses that "All packets begin with a synchronization (SYNC) field..." (column 22, line 9). If the DATA and CRC fields are considered separately from the other fields, as suggested in the Office Action, they do not meet this definition of a packet, since they do not begin with the requisite SYNC field. It is only when all of the fields are considered together that they constitute a packet that conforms with the disclosure of the Bastiani patent.

Accordingly, it is respectfully submitted that neither the Bastiani patent itself, nor the commonly understood meaning of the term "packet", supports the interpretation set forth in the Office Action. Consequently, the Bastiani patent does not anticipate the claimed subject matter.

During the course of the above-noted interview, the examiner suggested that this point could be further emphasized in the claim by reciting that the data packet is separate, or distinct, from the token packet. It is respectfully submitted that this

concept is already inherent in the original language of claim 1, by the individual recitations of a token packet and a data packet, and that no amendment is necessary to distinguish over the reference. However, to advance prosecution, claim 1 has been amended pursuant to the examiner's suggestion, to explicitly recite that the data packet is separate from the token packet. This amendment does not change the scope of the claim, and therefore does not raise any new issues, since it merely makes explicit that which was already inherently in the claim.

Claim 1 has also been amended to remove a minor informality. Since the claim defines "a data packet" (singular), the later reference to "data packets" (plural) was inconsistent, and has therefore been corrected.

In responding to Applicant's argument regarding claim 2, the final Office Action states "the recited claim element 'each token packet' does not reference to both of the downlink token packet and the uplink token packet." From this statement, it appears that the Office Action is interpreting the quoted phrase to encompass only one of the two types of packets, i.e. a downlink token packet or an uplink token packet. It is respectfully submitted that such an interpretation is not in accordance with the commonly understood meaning of the terms. Specifically, The Random House Dictionary of the English Language, Second Edition, defines the term "each" to mean "*every one* of two or more considered individually or one by one" (emphasis added). A copy of the relevant page of the dictionary is being filed herewith. To interpret the phrase "each token packet" to mean only one of the two types of packets defined in claim 1 is not consistent with the definition of the term.

For this additional reason, it is submitted that claim 2 is not anticipated by the Bastiani patent. Again, however, to advance prosecution, the claim has been amended as suggested by the examiner during the interview.

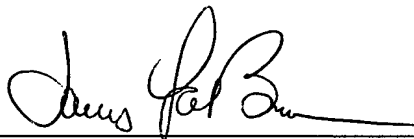
For at least the foregoing reasons, it is respectfully submitted that the presently pending claims are patentable over the Bastiani patent. Reconsideration and withdrawal of the rejection of claims 1, 2, 4 and 7, and allowance of all pending claims are respectfully requested.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: June 1, 2005

By: _____



James A. LaBarre

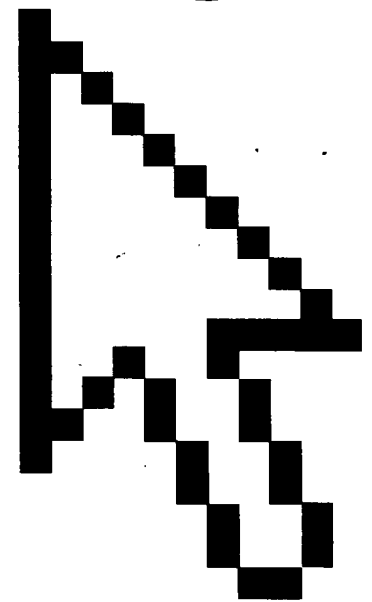
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p prefix *See* pico-.

P prefix *See* peta-.

P2P or P-to-P *n.* An Internet-based networking option in which two or more computers connect directly to each other to communicate and share files without use of a central server. Interest in P2P networking blossomed with the introduction of Napster and Gnutella. Short for Peer-to-Peer. *See also* peer-to-peer architecture, peer-to-peer communications.

P3P *n.* Acronym for Platform for Privacy Preferences. An open W3C protocol that allows Internet users to control the type of personal information that is collected by the Web sites they visit. P3P uses User Agents built into browsers and Web applications to allow P3P-enabled Web sites to communicate privacy practices to users before they log on to the Web site. P3P compares the Web site's privacy policies with the user's personal set of privacy preferences, and it reports any disagreements to the user.

P5 *n.* Intel's internal working name for the Pentium microprocessor. Although it was not intended to be used publicly, the name P5 leaked out to the computer-industry trade press and was commonly used to reference the microprocessor before it was released. *See also* 586, Pentium.

pack *vb.* To store information in a more compact form. Packing eliminates unnecessary spaces and other such characters and may use other special methods of compressing data as well. It is used by some programs to minimize storage requirements.

package *n.* **1.** A computer application consisting of one or more programs created to perform a particular type of work—for example, an accounting package or a spreadsheet package. **2.** In electronics, the housing in which an electronic component is packaged. *See also* DIP. **3.** A group of classes or interfaces and a keyword in the Java programming language. Packages are declared in Java by using the "package" keyword. *See also* class, declare, interface (definition 1), keyword.

packaged software *n.* A software program sold through a retail distributor, as opposed to custom software. *See also* canned software.

packed decimal *adj.* A method of encoding decimal numbers in binary form that maximizes storage space by using each byte to represent two decimal digits. When signed decimal numbers are stored in packed decimal format, the sign appears in the rightmost four bits of the rightmost (least significant) byte.

packet *n.* **1.** A unit of information transmitted as a whole from one device to another on a network. **2.** In packet-switching networks, a transmission unit of fixed maximum size that consists of binary digits representing both data and a header containing an identification number, source and destination addresses, and sometimes error-control data. *See also* packet switching.

packet assembler and disassembler *n.* *See* packet assembler/disassembler.

packet assembler/disassembler *n.* An interface between non-packet-switching equipment and a packet-switching network. *Acronym:* PAD.

packet filtering *n.* The process of controlling network access based on IP addresses. Firewalls will often incorporate filters that allow or deny users the ability to enter or leave a local area network. Packet filtering is also used to accept or reject packets such as e-mail, based on the origin of the packet, to ensure security on a private network. *See also* firewall, IP address, packet (definition 1).

packet flooding *n.* A technique employed in a number of DoS (denial of service) attacks in which a flood of packets of data are sent to a target server, overwhelming the computer and rendering it unable to respond to legitimate network requests. Examples of specific types of packet flooding include smurf attacks and SYN flood attacks. *See also* DoS, packet, smurf attack, SYN flood.

packet header *n.* The portion of a data packet that precedes the body (data). The header contains data, such as

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NORTH SEMITIC	GREEK	ETR	LATIN	MODERN				
				GOthic	ITALIC	ROMAN		
𐤀	Α	E	𐌲	𐌲	E	𐌲	𐌲	E

E

DEVELOPMENT OF MINUSCULE					
ROMAN CURSIVE	ROMAN UNCIAL	CAROL MIN	MODERN		
			GOthic	ITALIC	ROMAN
𐌺	Ʒ	e	𐌺	e	e

The fifth letter of the English alphabet developed from North Semitic *he*. Originally a consonant with an *h*-sound, it was transformed into a vowel in Greek, although in Classical Greek and in certain local alphabets North Semitic *heth* [see H] was used to represent *eta* [long e]. The minuscule [e] was derived from the capital [E] through the uncial form.

E, e (ē), *n.*, *pl.* **E's** or **Es**, **e's** or **es**. 1. the fifth letter of the English alphabet, a vowel. 2. any spoken sound represented by the letter *E* or *e*, as in *met*, *meet*, *mere*, etc. 3. something having the shape of an *E*. 4. a written or printed representation of the letter *E* or *e*. 5. a device, as a printer's type, for reproducing the letter *E* or *e*.

E, 1. east. 2. eastern. 3. English. 4. excellent. 5. Expressway.

E, *Symbol*. 1. the fifth in order or in a series. 2. (sometimes *l.c.*) (in some grading systems) a grade or mark, as in school or college, indicating the quality of a student's work is in need of improvement in order to be passing. 3. *Music*. *a*. the third tone in the scale of *C* major or the fifth tone in the relative minor scale, *A* minor. *b*. a string, key, or pipe tuned to this tone. *c*. a written or printed note representing this tone. *d*. (in the fixed system of solmization) the third tone of the scale of *C* major, called *mi*. *e*. the tonality having *E* as the tonic note. 4. (sometimes *l.c.*) the medieval Roman numeral for 250. Cf. **Roman numerals**. 5. *Physics*, *Elect*. *a*. electric field. *b*. electric field strength. 6. *Physics*. energy. 7. *Biochem*. See **glutamic acid**. 8. *Logic*. See **universal negative**. 9. a proportional shoe width size narrower than *EE* and wider than *D*.

e, 1. electron. 2. *Physics*. elementary charge.

E, *Symbol*. 1. *Math*. a transcendental constant equal to 2.7182818 . . . used as the base of natural logarithms; the limit of the expression $(1 + 1/n)^n$ as *n* approaches infinity. 2. *Logic*. See **universal negative**.

e-, var. of **ex-**, occurring in words of Latin origin before consonants other than *c*, *f*, *p*, *q*, *s*, and *t*: *emit*.

E, 1. Earl. 2. Earth. 3. east. 4. Easter. 5. eastern. 6. engineer. 7. engineering. 8. English.

e, 1. eldest. 2. Football end. 3. engineer. 4. engineering. 5. entrance. 6. Baseball error; errors.

E-a (ā/ā), *n.* the Akkadian god of wisdom, the son of Apsu and father of Marduk; the counterpart of Enki.

-ea, a suffix occurring in loanwords from Latin: *cornea*. [*< L -ēa, -aea, -ea, fem. sing. and neut. pl. of -ēus, -aeus, -eus; see -EAN*]

ea, each.

E.A.A., Engineer in Aeronautics and Astronautics.

each (ēch), *adj.* 1. every one of two or more considered individually or one by one: *each stone in a building; a hallway with a door at each end*. —*pron.* 2. every one individually; each one: *Each had a different solution to the problem*. —*adv.* 3. to, from, or for each; apiece: *They cost a dollar each*. [bef. 900; ME *eche*, OE *ælc*, equiv. to *ā* ever (see *AV*) + (*g*)elic ALIKE; c. OHG *eo-gilih*, OFris *ellik*, D. *LG elk*]

—**Syn.** 1. **EACH**, **EVERY** are alike in having a distributive meaning. Of two or more members composing an aggregate, **EACH** directs attention to the separate members in turn: *Each child* (of those considered and enumerated) *received a large apple*. **EVERY** emphasizes inclusiveness or universality: *Every child* (of all in existence) *likes to play*.

—**Usage**. The adjective **EACH** is always followed by a singular noun: *each person; each book*. When the adjective follows a plural subject, the verb agrees with the subject: *They each dress in different styles*. The houses *each have central heating*. When the pronoun **EACH** comes immediately before the verb, it always takes a singular verb: *Each comes* (not *come*) *from a different country*. When the pronoun is followed by an *of* phrase containing a plural noun or pronoun, there is a tendency for the verb to be plural: *Each of the candidates has* (or

have) *spoken on the issue*. Some usage guides maintain that only the singular verb is correct, but plural verbs occur frequently even in edited writing.

It is also sometimes said that the pronoun **EACH** must always be referred to by a singular pronoun, but again actual usage does not regularly observe this stricture: *Each member of our garden club had their own special interests*. In the most formal speech and writing, singular verbs and pronouns occur more frequently than plural: *Each member . . . had his own special interests*. The use of plural forms, especially plural pronouns, has been increasing in the United States, partially because of the desire to avoid using *he* or *his* to refer to a female.

ANYONE, ANYBODY, EVERYONE, EVERYBODY, NO ONE, SOMEONE, and SOMEBODY follow the same general patterns of pronoun agreement as **EACH**. See also **they**.

each/oth'er, each the other; one another (used as a compound reciprocal pronoun): *to strike at each other; to hold each other's hands; to love each other*. [bef. 1000; ME; OE. See **EACH**, **OTHER**]

—**Usage**. Although some insist that **EACH OTHER** be used only in reference to two (*The two candidates respected each other*) and **ONE ANOTHER** in reference to three or more (*The three nations threaten one another*), in standard practice they are interchangeable. **EACH OTHER** is not restricted to two, nor is **ONE ANOTHER** restricted to three or more.

The possessive of **EACH OTHER** is *each other's*; the possessive of **ONE ANOTHER** is *one another's*.

ead., (in prescriptions) the same. [*< L eādem*]

Ead-mund I (ed'mənd, ā'əd mōnd'), See **Edmund I**. **Eadmund II**. See **Edmund II**.

Eads (ēdz), *n.* James Buchanan, 1820–87, U.S. engineer and inventor.

Ead-wine (ed'win, ā'əd win'ə), *n.* Edwin (def. 1).

-eae, plural of **-ea**: *tracheae*.

E-a-gan (ē'gən), *n.* a town in SE Minnesota. 20,532.

ea-ger¹ (ē'gər), *adj.* 1. keen or ardent in desire or feeling; impatiently longing: *I am eager for news about them*. He is *eager to sing*. 2. characterized by or revealing great earnestness: *an eager look*. 3. Obs. keen; sharp; biting. [1250–1300; ME *egre* < AF, OF *egre*, *aigre* < VL **ācrus* for *L ācer* sharp] —**ea-ger-ly**, *adv.* —**ea-ger-ness**, *n.*

—**Syn.** 1. enthusiastic, desirous. See **avid**. 2. fervent, zealous, fervid, intent, intense, earnest. —**Ant.** 1. 2. indifferent, uninterested. 2. heedless.

ea-ger² (ē'gər, ā'gər), *n.* Chiefly Brit. eagre.

ea-ger bea-ver (ē'gər), a person who is excessively diligent or overly zealous. [1940–45, Amer.]

ea-gle (ē'gəl), *n.*, *v.*, **-gled**, **-gling**. —*n.* 1. any of several large, soaring birds of prey belonging to the hawk family Accipitridae, noted for their size, strength, and powers of flight and vision; formerly widespread in North America, eagles are mostly confined to Alaska and a few isolated populations. Cf. **bald eagle**, **golden eagle**. 2. a figure or representation of an eagle, much used as an emblem: *the Roman eagle*. 3. a standard, seal, or the like bearing such a figure. 4. one of a pair of silver insignia in the shape of eagles with outstretched wings worn by a colonel in the U.S. Army, Air Force, and Marine Corps and by a captain in the U.S. Navy. 5. (cap.) a gold coin of the U.S., traded for investment, available in denominations of 5, 10, 25, and 50 dollars containing 1/10 to 1 troy ounce of gold, having on its reverse a picture of an eagle; first issued in 1886. 6. a former gold coin of the U.S., issued until 1933, equal to 10 dollars, showing an eagle on its reverse. 7. *Golf*. a score of two below par for any single hole. 8. (cap.) *Astron.* the constellation Aquila. 9. *Cards*. *a*. a representation in green of an eagle, used on playing cards to designate a suit in the pack additional to the four standard suits. *b*. a card of a suit so designated. *c*. **eagles**, the suit itself. —*v.t.* 10. *Golf*. to make an eagle on (a hole). [1350–1400; ME *egle* < AF, OF *egle*, *aigle* < L *aquila*, *n.* use of fem. of *aquilus* dark-colored]

ea-gle eye, 1. unusually sharp visual powers; keen ability to watch or observe. 2. a person who has sharp vision or who maintains a keen watchfulness. 3. alert watchfulness. [1595–1605]

ea-gle-eyed (ē'gal id'), *adj.* having keen vision. [1595–1605]

ea-gle owl, any of several large owls of the genus *Bubo*, having prominent tufts of feathers on each side of the head, esp. *B. bubo* of Europe and Asia. [1670–80]

Ea-gle Pass, a city in S Texas, on the Rio Grande. 21,407.

ea-gle ray, any of several rays of the family Myliobatidae, found in tropical seas and noted for the soaring movements by which they propel themselves through the water. [1855–60]

ea-gle scout, a boy scout who has achieved the highest rank in U.S. scouting. [1910–15, Amer.]

ea-gle-stone (ē'gal stōn'), *n.* a concretionary lump of ironstone about the size of a walnut, formerly believed to be carried by eagles to their nests as a magical aid in laying eggs. [1595–1605; **EAGLE** + **STONE**]

ea-glet (ē'glit), *n.* a young eagle. [1565–75; < MF *ai-glette* (in heraldry). See **EAGLE**, **-ET**]

ea-gle-wood (ē'gal wōd'), *n.* agalloch. [1510–20; trans. of Pg *páo d'aguila* wood of agalloch, by confusion of Pg *águia* eagle with *aguila* < Malayalam *agil* agalloch]

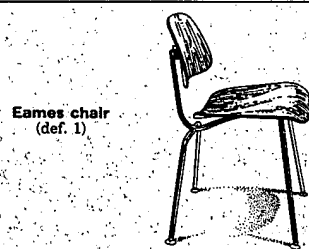
ea-gre (ē'gər, ā'gər), *n.* Chiefly Brit. a tidal bore or flood. Also, **eager**. [1640–50; appar. repr. earlier *agar*, *ager*, obscurely akin to *hyger*, *higre*; cf. AL (12th century) *higra* the tidal bore of the Severn; compared with OE *ēgor*, *eogor* flood, high tide, though preservation of *g* in modern forms is problematic]

Ea-kins (ā'kinz), *n.* Thomas, 1844–1916, U.S. painter. **ea-l-dor-man** (ōl'dər mən), *n.*, *pl.* **-men**. Obs. alderman. Also, **ea/der-man**.

Ea-ling (ē'ling), *n.* a borough of Greater London, England. 297,600.

EAM, National Liberation Front, a Greek underground resistance movement of World War II and political coalition of various leftist groups. [*< ModGk E(thnikō) A(peleutherōtikō) M(étopo)*]

Eames (ēmz), *n.* Charles, 1907–78, U.S. furniture designer and architect.



Eames chair
(def. 1)

Eames' chair, 1. Also called **LCM chair**. a side chair designed by Charles Eames in 1946, having a slender tubular steel frame with a seat and back of molded plywood panels. 2. Also called **Eames' lounge chair**, an armchair with matching ottoman designed by Charles Eames in 1956, having separate headrest, backrest, and seat sections of molded plywood fitted with leather cushions and mounted on a metal base that can swivel or tilt. [1945–50, Amer.]

-ean, an element used to form adjectives from nouns ending in **-ea**: *crustacean*. [*< L -ē(us)* (Gk *-eios*), *-ae(us)* (Gk *-aios*), *-e(us)* + **-AN**]

CONCISE ETYMOLOGY KEY: <, descended or borrowed from; >, whence; b, blend of, blended; c, cognate with; cf., compare; deriv., derivative; equiv., equivalent; imit., imitative; obl., oblique; r., replacing; s., stem; sp., spelling, spelled; resp., respelling, respelled; trans., translation; ? , origin unknown; * , unattested; † , probably earlier than. See the full key inside the front cover.

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